

ECF CASE  
JUDGE SULLIVAN

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

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**J & J SPORTS PRODUCTIONS, INC.,** as  
Broadcast Licensee of the **May 5, 2007**  
**DeLaHoya/Mayweather** Program,  
Plaintiff,

-against-

**AFFIDAVIT IN SUPPORT OF  
REQUEST FOR DEFAULT**  
Civil Action No. 07-CV-8854-RJS- DCF  
HON. RICHARD J. SULLIVAN

VIRGEN Y. PEREZ, Individually, and as officer,  
director, shareholder and/or principal of 2151  
MORENA RESTAURANT LLC d/b/a MORENA  
RESTAURANT,

and

2151 MORENA RESTAURANT LLC d/b/a  
MORENA RESTAURANT  
Defendants.

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STATE OF NEW YORK :  
: SS.:  
COUNTY OF ULSTER :

JULIE COHEN LONSTEIN, being duly sworn, deposes and says:

1. That I am the attorney for plaintiff, **J & J SPORTS PRODUCTIONS, INC.,** in the  
above referenced matter and I am admitted to practice in this Court. I am fully familiar with all  
the facts, circumstances and proceedings heretofore had herein.

2. This action was commenced pursuant to 47 U.S.C. §605, *et seq.* A copy of the  
Summons and Complaint was served on Defendant, **VIRGEN Y. PEREZ, Individually, and as  
officer, director, shareholder and/or principal of 2151 MORENA RESTAURANT LLC  
d/b/a MORENA RESTAURANT** as set forth in the proof of service by William Morrison ECF

document No. 4, and **2151 MORENA RESTAURANT LLC d/b/a MORENA**

**RESTAURANT** as set forth in the proof of service by Jessica Miller ECF Documents No.3

3. The time within which any of the Defendants may answer or otherwise move with respect to the Complaint herein has expired. Defendants **VIRGEN Y. PEREZ, Individually, and as officer, director, shareholder and/or principal of 2151 MORENA RESTAURANT LLC d/b/a MORENA RESTAURANT, and 2151 MORENA RESTAURANT LLC d/b/a MORENA RESTAURANT**, have not answered or otherwise moved with respect to the Complaint; and the time for the Defendant(s) to do so has not been extended.

4. Said Defendant(s) are not infants or incompetents. Upon information and belief, Defendant(s) are not presently in the military service of the United States.

**WHEREFORE**, Plaintiff **J & J SPORTS PRODUCTIONS, INC.**, requests that the default of the Defendant(s) **VIRGEN Y. PEREZ, Individually, and as officer, director, shareholder and/or principal of 2151 MORENA RESTAURANT LLC d/b/a MORENA RESTAURANT, and 2151 MORENA RESTAURANT LLC d/b/a MORENA RESTAURANT**, be noted and that judgment be entered in favor of plaintiff and against defendants in the manner stated herein.

Dated: January 14, 2008  
Ellenville, NY 12428

Sworn to before me this 14th  
day of November, 2008

/S/ Julie Cohen Lonstein  
Julie Cohen Lonstein  
Bar Roll No. JL8512

/s/ April Draganchuk  
**April Draganchuk**  
**Notary Public State of New York**  
**Registration No. 4945872**  
**Residing in Ulster County**  
**My Commission Expires Jan. 27, 2011**